



General Assembly

February Session, 2008

***Raised Bill No. 5722***

LCO No. 2460

\*02460\_\_\_\_\_JUD\*

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING PROTECTIVE ORDERS AND COURT SERVICES FOR CRIME VICTIMS.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 54-1k of the 2008 supplement to the general  
2 statutes is repealed and the following is substituted in lieu thereof  
3 (*Effective October 1, 2008*):

4 (a) Upon the arrest of a person for a violation of subdivision (1) or  
5 (2) of subsection (a) of section 53-21 of the 2008 supplement to the  
6 general statutes, section 53a-70, 53a-70a, 53a-70c of the 2008  
7 supplement to the general statutes, 53a-71 of the 2008 supplement to  
8 the general statutes, 53a-72a, 53a-72b, or 53a-73a of the 2008  
9 supplement to the general statutes, or any attempt thereof, or section  
10 53a-181c, 53a-181d or 53a-181e, the court may issue a protective order  
11 pursuant to this section. Upon the arrest of a person for a violation of  
12 section 53a-182b or 53a-183, the court may issue a protective order  
13 pursuant to this section if it finds that such violation caused the victim  
14 to reasonably fear for his or her physical safety. Such order shall be an  
15 order of the court, and the clerk of the court shall cause a certified copy  
16 of such order to be sent to the victim, and a copy of such order, or the

17 information contained in such order, to be sent by facsimile or other  
18 means within forty-eight hours of its issuance to the appropriate law  
19 enforcement agency.

20 (b) A protective order issued under this section may include  
21 provisions necessary to protect the victim from threats, harassment,  
22 injury or intimidation by the defendant, including but not limited to,  
23 an order enjoining the defendant from (1) imposing any restraint upon  
24 the person or liberty of the victim, (2) threatening, harassing,  
25 assaulting, molesting or sexually assaulting the victim, or (3) entering  
26 the dwelling of the victim. A protective order issued under this section  
27 may include provisions necessary to protect any animal owned or kept  
28 by the victim including, but not limited to, an order enjoining the  
29 defendant from injuring or threatening to injure such animal. Such  
30 order shall be made a condition of the bail or release of the defendant  
31 and shall contain the following language: "In accordance with section  
32 53a-223 of the Connecticut general statutes, any violation of this order  
33 constitutes criminal violation of a protective order which is punishable  
34 by a term of imprisonment of not more than five years, a fine of not  
35 more than five thousand dollars, or both. Additionally, in accordance  
36 with section 53a-107 of the Connecticut general statutes, entering or  
37 remaining in a building or any other premises in violation of this order  
38 constitutes criminal trespass in the first degree which is punishable by  
39 a term of imprisonment of not more than one year, a fine of not more  
40 than two thousand dollars, or both. Violation of this order also violates  
41 a condition of your bail or release and may result in raising the amount  
42 of bail or revoking release."

43 (c) The information contained in and concerning the issuance of any  
44 protective order issued under this section shall be entered in the  
45 registry of protective orders pursuant to section 51-5c.

46 Sec. 2. Section 51-9 of the general statutes is repealed and the  
47 following is substituted in lieu thereof (*Effective July 1, 2008*):

48 Under the supervision and direction of the Chief Court

49 Administrator, the executive secretary and other members of the staff  
50 of the Office of Chief Court Administrator shall:

51 (1) Audit all bills to be paid from state appropriations, except bills of  
52 the Division of Criminal Justice, for the expenses of the Judicial  
53 Department and its constituent courts prior to taxation or final  
54 approval thereof by any judge;

55 (2) Maintain adequate accounting and budgetary records for all  
56 appropriations by the state for the maintenance of the Judicial  
57 Department, except the Division of Criminal Justice, and all other  
58 appropriations assigned by the legislature or state budgetary control  
59 offices for administration by the Judicial Department, except the  
60 Division of Criminal Justice;

61 (3) Prepare and submit to the appropriate budget agency of the state  
62 government estimates of appropriations necessary for the maintenance  
63 and operation of the Judicial Department, including therein estimates  
64 submitted for the Division of Criminal Justice as provided in section  
65 51-279, and make recommendations in respect to those appropriations;

66 (4) Act as secretary of any meetings, conferences or assemblies of  
67 judges, or committees thereof, of the Judicial Department and of its  
68 constituent courts;

69 (5) Supervise all purchases of commodities and services for the  
70 Judicial Department, except for the Division of Criminal Justice, to be  
71 charged to state appropriations, and issue all orders therefor for the  
72 department, excluding orders for the Division of Criminal Justice;

73 (6) Examine the administrative methods and systems employed in  
74 the Judicial Department and its constituent courts and agencies, except  
75 the Division of Criminal Justice, and develop and implement programs  
76 for the improvement thereof and for securing uniform administration  
77 and procedures;

78 (7) Examine the state of the dockets of the courts of the Judicial

79 Department to ascertain the need for assistance by any court and to  
80 implement programs for the fair and prompt disposition of cases  
81 therein;

82 (8) Examine the state of the dockets of the courts of the Judicial  
83 Department to (A) ascertain the need for assistance by any court  
84 specific to crime victims, and (B) implement programs to ensure the  
85 fair and respectful treatment of crime victims throughout the criminal  
86 justice process, which programs may include, but need not be limited  
87 to, programs that assign at least one victim advocate to each judicial  
88 district court, geographical area court and superior court for juvenile  
89 matters;

90 [(8)] (9) Collect and compile statistical and other data concerning the  
91 business transacted by the Judicial Department and its constituent  
92 courts and the expenditure of public moneys for the maintenance and  
93 operation of the judicial system;

94 [(9)] (10) Assist in the preparation of the assignments of the judges  
95 of the Superior Court and attend to the printing and distribution for  
96 the Superior Court of an annual directory containing relevant  
97 information pertaining to the operation of the court;

98 [(10)] (11) Serve as payroll officer for the Judicial Department,  
99 excluding the Division of Criminal Justice, and for the Supreme Court,  
100 Appellate Court and Superior Court;

101 [(11)] (12) Supervise the assignment of court reporters of the  
102 Superior Court;

103 [(12)] (13) Conduct research and planning activities for the Judicial  
104 Department and its constituent courts and offices as deemed feasible  
105 by, or in the discretion of, the Chief Justice or the Chief Court  
106 Administrator;

107 [(13)] (14) Develop education programs for the judges and other  
108 personnel of the Judicial Department;

109     [(14)] (15) Develop personnel standards, policies and procedures,  
 110     and make recommendations concerning all personnel matters,  
 111     including requests for salary increases or for additional positions, for  
 112     consideration by the Supreme Court or the appropriate appointing  
 113     authorities;

114     [(15)] (16) Report periodically to the Chief Court Administrator  
 115     concerning all matters which have been entrusted to him;

116     [(16)] (17) Attend to matters assigned to him by the Chief Justice, or  
 117     the Chief Court Administrator or by statute;

118     [(17)] (18) Design, implement and maintain, as deemed feasible by  
 119     the Chief Court Administrator, computerized automatic data  
 120     processing systems for use in the Supreme Court, Appellate Court and  
 121     Superior Court or divisions of the Superior Court;

122     [(18)] (19) Supervise administrative methods employed in clerks'  
 123     offices and in the various offices of the Supreme Court, Appellate  
 124     Court and Superior Court; and

125     [(19)] (20) Supervise the care and control of all property where the  
 126     Judicial Department is the primary occupant. For the purposes of this  
 127     subsection, the term "Judicial Department" does not include the courts  
 128     of probate, the Division of Criminal Justice and the Public Defender  
 129     Services Commission, except where they share facilities in state-  
 130     maintained courts.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	54-1k
Sec. 2	<i>July 1, 2008</i>	51-9

***Statement of Purpose:***

To: (1) Provide for the issuance of a protective order with respect to certain sexual assault charges, and (2) require the Office of the Chief

Court Administrator to evaluate the need for court services and programs specific to crime victims.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*